

March 27, 2023

**KAREN MITCHELL
CLERK, U.S. DISTRICT
COURT**

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

IN RE:

Reagor-Dykes Motors, LP, et al.¹

Debtors,

Case No. 18-50214-rlj-11
Jointly Administered

Dennis Faulkner, Creditors' Trustee,

Plaintiff,

vs.

Adversary No. 20-05005-rlj

Ford Motor Credit Company, LLC,

Defendant.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

TO THE WARDEN OF FCI BIG SPRING:

The Court finds that the presence of Shane Andrew Smith (Federal Register: 58920-177) ("Smith") is necessary in order to prosecute the trial in *Dennis Faulkner, Creditors' Trustee v. Ford Motor Credit Co., LLC*, Adversary Proceeding No. 20-05005-rlj, presently pending before the United States Bankruptcy Court for the Northern District of Texas, Lubbock Division. Smith is required to appear before the United States Bankruptcy Court for the Northern District of Texas, Lubbock Division, as a witness for the trial in the above-referenced Adversary

¹ The following chapter 11 cases are jointly administered in Case No. 18-50214: Reagor-Dykes Imports, LP (Case No. 18-50215), Reagor-Dykes Amarillo, LP (Case No. 18-50216), Reagor-Dykes Auto Company, LP (Case No. 18-50217), Reagor-Dykes Plainview, LP (Case No. 18-50218), Reagor-Dykes Floydada, LP (Case No. 18-50219), Reagor-Dykes Snyder, L.P. (Case No. 18-50321), Reagor-Dykes III LLC (Case No. 18-50322), Reagor-Dykes II LLC (Case No. 18-50323), Reagor Auto Mall, Ltd. (Case No. 18-50324), and Reagor Auto Mall I LLC (Case No. 18-50325).

Proceeding on June 20, 2023, in-person at the United States Bankruptcy Court, Courtroom No. 314, 1205 Texas Avenue, Lubbock, Texas. Smith is now confined in the FCI Big Spring correctional facility located at 1900 Simler Avenue, Big Spring, Texas 79720, where he is serving a criminal sentence, and his presence in the United States Bankruptcy Court cannot be secured under the ordinary process or subpoena of the United States Bankruptcy Court for the Northern District of Texas, Lubbock Division.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the United States District Court for the Northern District of Texas, Lubbock Division, pursuant to powers enumerated in 28 U.S.C. § 2241(a), that Shane Andrew Smith (Federal Register: 58920-177) is a necessary witness in the trial of this adversary proceeding, and the Warden of FCI Big Spring is directed to deliver Smith to the United States Bankruptcy Court for trial of the above-captioned adversary proceeding at 9:00 a.m. on June 20, 2023, and on any other date to which the trial may be continued, in Courtroom No. 314, 1205 Texas Avenue, Lubbock, Texas, for trial before the United States Bankruptcy Court for the Northern District of Texas, Lubbock Division. The prisoner is to be under the custody and control of the United States Marshal for the Northern District of Texas for the duration of time necessary for him to testify at the trial in this matter. It is further ordered that once Smith has testified and been released by the United States Bankruptcy Court for the Northern District of Texas, Lubbock Division, he shall remain in the custody of the U.S. Marshal for the Northern District of Texas, and Smith shall be returned to the custody of FCI Big Spring, subject to further orders of this Court.

SO ORDERED this 27th day of March, 2023.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE